

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSH L. ANDERSON,)
)
 Plaintiff,)
)
 V.)
)
)
 LARRY E. KOPKO, et al.,)
)
 Defendants.)
)
 _____)

CIVIL ACTION NO. 04-135 ERIE

PLAINTIFF'S REQUEST FOR STAY ON RULING OF MAGISTRATE
JUDGE'S RECOMMENDATION TO DISMISS DEFENDANTS KOPKO AND ICKERT

COMES NOW, Plaintiff, JOSH L. ANDERSON, to respectfully submit the following Request For Stay On Ruling Of Magistrate Judge's Recommendation To Dismiss Defendants Kopko And Ickert.

1. Plaintiff is Pro Se and has limited knowledge and understanding of the Local Rules of the Western District of Pennsylvania or the Federal Rules of Civil Procedure and how to apply them to this action.

2. Plaintiff is not an attorney of this Commonwealth or any other, as well plaintiff has never received any form of education or training in Civil or Criminal proceedings.

3. Plaintiff is aware of his Constitutional Rights as a civilion of the United States and as an inmate of the Warren County Prison, Warren, Pannsylvania.

4. Plaintiff knowing that his Rights were violated filed this action on May 19, 2004, by returning to the Clerk a Pro Se packet that was supplied by the Clerk.

5. Plaintiff tried to provide the court with more facts and a better understanding of how plaintiff's rights were violated by filing an additional complaint on June 24, 2004, entitled "Complaint".

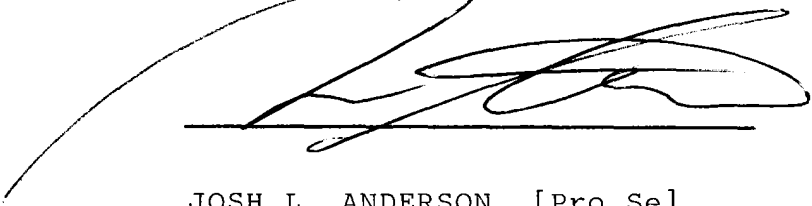
6. Defendants' counsel argues that plaintiff did not assert a claim against defendants Kopko and Ickert for their involvement in the assault by defendant Smith ne'e Avenali.

7. Plaintiff is incarcerated in S.C.I. Coal Township, Coal Township, Pennsylvania, and does not have access to the reports and other documentation that would allow plaintiff to assert actual dates in support of facts relevant to a proper claim against all defendants. However, plaintiff has a limited amount of documents, i.e. letters, inmate request forms, institutional grievances, and inmate misconduct reports. Other much needed documents are under the control of Defendants Kopko and Ickert.

WHEREFORE, Plaintiff prays that this Court grant a Stay and allow plaintiff to file an amended complaint after Request For Production Of Documents, via. Discovery, on issues relevant to plaintiff's claims in this action.

Respectfully submitted,

January 9, 2006.



JOSH L. ANDERSON [Pro Se]
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